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Docket No.: R2184.0283/P283  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Norihiro Yamamoto

Application No.: 10/725,312

Confirmation No.: 4926

Filed: December 2, 2003

Art Unit: 2627

For: OPTICAL DATA RECORDING METHOD  
AND OPTICAL DISK DEVICE

Examiner: L. Chow

**RESPONSE**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated December 12, 2006, Applicant hereby elects the species of FIGs. 8 and 9. At least claims 10-11 are readable on the elected species.

Moreover, Applicant respectfully submits that all of the claims can be examined together in this case without "serious" burden, and at least claims 10, 11 and 12 can be examined together without "serious" burden. There are only twenty-five claims total, and the searches for dependent claims 11 and 12, relating to focus offset and tilt offset, respectively, would overlap. Office policy is that the examiner "must" examine all the claims on the merits where the search and examination of all the claims

"can be made without serious burden," regardless of whether the claims are to independent or distinct inventions. See MPEP §803.

Favorable action on the application is solicited.

An Information Disclosure Statement was filed on January 3, 2007.

Dated: January 12, 2007

Respectfully submitted,

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